

UNITED STATES DISTRICT COURT  
for  
NORTHERN DISTRICT OF TEXAS

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

FILED

FEB 16 2012

CLERK U.S. DISTRICT COURT

By

Deputy

**Request for Modifying the Conditions or Term of Supervision  
With Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Douglas Sovereign Smith, Jr.

Case No.: 4:05-CR-040-Y(01)

Name of Sentencing Judicial Officer: U.S. District Judge Terry R. Means

Date of Original Sentence: December 5, 2005

Original Offense: Receipt and Distribution of Child Pornography, 18 USC §§ 2252A(a)(2)(A) & (b)(1) and 3583(k)

Original Sentence: 96 months custody, life term of supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: currently incarcerated

Assistant U.S. Attorney: Bret Helmer Defense Attorney: Jack Strickland (Retained)

**Petitioning The Court As Follows:**

To add to the conditions of supervision with the consent of the offender as follows:

The defendant shall not purchase, possess, have contact with, or use devices to include cellular telephones with photographic capability; cellular telephones with Internet capability; computers, computer peripherals, laptop computers; iPods; Personal Digital Assistants (PDAs); portable storage devices such as thumb drives and Flash memory; or any other type of portable electronic device that is capable of communicating data via modem, wireless, or dedicated connection without the permission of the U.S. Probation Office. The defendant shall also refrain from the purchase, possession, or use of digital cameras; digital recorders; or any other type of recording and/or photographic equipment.

The defendant shall not possess or view any images in any form of media or in any live venue that depicts sexually explicit conduct. For the purpose of this special condition of supervised release, the term "sexually explicit conduct" is defined under 18 USC § 2256(2)(A), and is not limited to the sexual exploitation of children.

The defendant shall not possess or access a computer, except in the course of his/her employment or schooling. Such computer shall have no modem or other device which would allow access to the Internet. The defendant shall allow the probation officer to have access to any computer to which he or she has access for the purpose of monitoring this condition, and shall fully cooperate with the probation officer with regard to enforcement of this condition. The defendant shall provide the probation officer with access to any requested financial information for the purposes of monitoring their compliance with the imposed computer access/monitoring conditions.

The defendant shall advise anyone in his/her household that any computer in the household may be subject to computer monitoring.

Robert Brice Daugherty  
Request for Modifying the Conditions or Term of Supervision With Consent of the Offender

The defendant will disclose all on-line account information, including user names and passwords, to the U.S. Probation Office. The defendant shall also, if requested, provide a list of all software/hardware on his/her computer, as well as telephone, cable, or Internet service provider billing records, and any other information deemed necessary by the probation office to monitor the defendant's computer usage. The defendant shall provide the probation officer with access to any requested financial information for purposes of monitoring their compliance with the imposed computer access/monitoring conditions.

### Cause

Douglas Sovereign Smith, Jr. is scheduled to release from the custody of the Federal Bureau of Prisons on December 27, 2012. His proposed residence is in the Eastern District of Texas, Plano Division. Due to the nature of Mr. Smith's offense and to assist in supervision, the U.S. Probation Office in Plano has requested the above-referenced special conditions be added to his conditions of supervised release. Mr. Smith is in agreement with this modification and has signed the attached Probation Form 49, Waiver of Hearing form. After consulting with Senior U.S. Probation Officer Jamil Tirhi, Cybercrime Specialist, we are requesting this modification of Mr. Smith's conditions of supervision.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 13, 2012

Approved,

s/ Sharon Geider

Senior U.S. Probation Officer  
Benbrook, Texas  
817-732-7309, Ext. 244  
Fax: 817-732-7340

s/ Mark A. Briones

Supervising U.S. Probation Officer  
817-732-7309, Ext. 206

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### Order of the Court:

- ☐ No Action  
☐ The extension of supervision as noted above.  
☒ To add to the conditions of supervised release.

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Robert Brice Daugherty

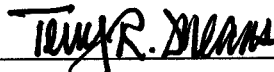
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☐ Other or Additional:



Terry R. Means  
U.S. District Judge

2-16-12  
Date

(11/4/2011) Miranda Williams - Smith Prob 49.wpd

PROB 49

**UNITED STATES DISTRICT COURT  
for the  
NORTHERN DISTRICT OF TEXAS**

**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

United States of America

v.

Criminal No. 4:05-CR-040-Y(1)

Douglas Sovereign Smith Jr.

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall not purchase, possess, have contact with, or use devices to include cellular telephones with photographic capability; cellular telephones with internet capability; computers, computer peripherals, laptop computers; iPods; Personal Digital Assistants (PDAs); portable data storage devices such as thumb drives and Flash memory; or any other type of portable electronic device that is capable of communicating data via modem, wireless, or dedicated connection without the permission of the U.S. Probation Office. The defendant shall also refrain from the purchase, possession, or use of digital cameras; digital recorders; or any other type of recording and/or photographic equipment.

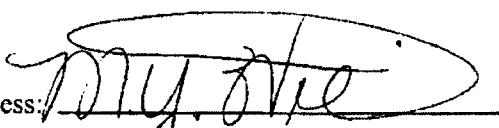
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Witness: 

Case Manager

Signed: 

Douglas Sovereign Smith Jr.

Date: 11/4/2011